REMARKS

In the Final Office Action of November 6, 2006, claims 1, 3 and 4, all claims remaining in the present application, were rejected as obvious over the combination of U.S. Elevator, DE 2251124 and Grupp et al, U.S. 2002/0100648. Applicants respectfully request reconsideration of the rejection.

The present invention is directed to a cable brake for a lift speed limiter, in which two active brake blocks are present, one being of aluminum-bronze and the other being of nodular cast iron or soft cast iron. The Examiner contends that the U.S. Elevator reference discloses two brake blocks, one being formed of a hard metal of relatively low frictional resistance, with the other being of an undisclosed material, wherein the braking effect is "primarily achieved by the [other] brake shoe 66". The Examiner asserts that this teaches the use of dissimilar materials as braking surfaces. He then applies Grupp et al that teaches the use of either aluminum-bronze alloys or nodular cast iron in brake blocks.

The U.S. Elevator Corp. reference discloses a construction in which the brake includes a "guiding block" for guiding the limiter cable and a "brake shoe (braking block) being pressed through said U-shaped guiding block against said limiter cable". It further recites that "the guiding block is made of a material having a low-friction coefficient, so that the braking effect is essentially caused by the brake shoe". Taking into account the foregoing language, as well as the fact that only one "brake shoe" or brake block is specifically recited, it is unreasonable for the Examiner to interpret the disclosure as teaching the use of two (active) brake blocks. While it may be argued

that the contact between any two materials has some degree of friction, the tenor of the U.S. Elevator disclosure is that braking friction is intended to be developed solely by the one brake shoe, the guiding surface serving to maintain the cable in position so that there can be the required frictional contact between the single brake shoe and the cable.

While it is fully acknowledged that the teachings of the U.S. Elevator reference constitutes knowledge to one of ordinary skill in the art at the time the presently-claimed invention was made, it is Applicants' contention that the reference is devoid of suggestion to be appreciated by one skilled in the art that a pair of active brake surfaces with different frictional characteristics, as claimed and intended by the present invention, could or should be employed. The clear import of the U.S. Elevator reference is that a single block is to be used, and that the cable be maintained in position by a low friction guide, not serving as a friction-generating action brake surface. The intended purpose of the second element in the reference is to provide a backing or support surface without braking friction. The substitution of a second active brake block, irrespective of the specific frictional coefficient present in that block *vis a vis* the first block, would simply not be contemplated by one skilled in the art attempting to utilize a low-friction resistance guide block as taught by the reference. The present invention is the antithesis of the U.S. Elevator teachings. A guide member to one skilled in the art is not an active brake element, and there is no suggestion whatsoever in the U.S. Elevator disclosure that the combination of a low-friction guide and a single brake block should be morphed into a two active brake block assembly.

Once again, it is submitted that it is only with the hindsight gleaned from the present invention that the U.S. Elevator teaching of a single guide block with a low-friction guide could be

transformed into a structure in which two active brake blocks are employed. One skilled in the art would certainly not consider a second active brake block to be the functional equivalent of a low-friction guide block as disclosed in the reference, and there is no teaching or suggestion whatsoever in the reference that the guide block should provide a meaningful frictional drag on the cable when engaged.

Further, while Grupp et al '648 may disclose the use of nodular cast iron or aluminum-bronze, it certainly does not suggest the combination of such materials in a pair of active brake blocks such as set forth in the present invention. One skilled in the art, noting the requirement of U.S. Elevator for a low-friction guide element, would not be led to utilize the teaching of Grupp for a choice of material for such a guide. Grupp teaches use of a variety of high-friction brake block-forming materials. There is no suggestion that such materials can be used for a low-friction guide element as provided for by U.S. Elevator, or should be configured in a construction that has two active blocks of different materials. This is further basis for the inappropriateness of the combination set forth by the Examiner.

The references cited by the Examiner fail to establish, without the hindsight of the present disclosure, why one skilled in the art would be motivated to ignore the express purpose of the guide block in U.S. Elevator to provide a low-friction support for a single brake block and use a frictional material of a type recited in Grupp in conjunction with a different frictional material to share the frictional load between a pair of brake blocks. See, e.g., Abbot Labs v. Andrix, 452 F.2d 1331, 79 USPQ2d 1321 (Fed. Cir. 2006).

Accordingly, reconsideration and withdrawal of the present rejection is solicited.

Respectfully submitted,

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CERTIFICATE UNDER 37 C.F.R. 1.8(a)

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February 6, 2007.

Carol L. Wood _____